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# RECEIVED

AUG - 6 2003

Federal Communications Commission
Office of Secretary

August 6, 2003

#### REDACTED -- FOR PUBLIC INSPECTION

Ms. Marlene H. Dortch Secretary Federal Communications Commission 445 12th Street, SW Washington, D.C. 20554

Re: Consolidated Application of General Motors Corporation, Hughes Electronics Corporation, and the News Corporation Limited for Authority to Transfer Control (MB Docket No. 03-124)

Dear Ms. Dortch:

Attached to this letter, please find the response of Cablevision Systems Corporation ("Cablevision") to the Commission's July 15, 2003 Discovery Requests for Cablevision ("Request" or "Requests"). This letter details the procedures that Cablevision followed in preparing its response.

- 1. Request 1.a.3 ("all periods of time in which the MVPD's right to carry the network lapsed"): Cablevision is providing data regarding those periods of time where carriage of a relevant video programming network ceased, and has not included the dates of periods of time where the MVPD's right may have briefly "lapsed" due to an affiliation agreement expiring before the parties reached a new agreement but carriage of the network did not cease. Instances where carriage was terminated due to nonpayment by the MVPD during the term of an affiliation agreement have also not been included.
- 2. **Request 1.a.4**: Cablevision is providing, for each relevant video programming network, for each year beginning in 2003, the total aggregate number of subscribers covered by expiring affiliation agreements (estimated based on number of current subscribers).

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- 3. Request 1.a.6: Cablevision is not responding to this request at this time.
- 4. **Request 2(c):** Cablevision is providing data for the same time period indicated in Request 1, *i.e.*, January 1, 2000 through the present.
- 5. Request (2)(d)(3), (4): Cablevision is providing data with respect to each relevant video programming service (not with respect to "News Corp.," as stated in the Request).
- 6. **Request 3:** Cablevision is providing data for the relevant video programming networks.
- 7. Available Data: Cablevision responses have been provided using the data and level of detail that Cablevision maintains in the ordinary course of its business.
- 8. Applicants' procedures for responding to July 8, 2003 Initial Information and Document Request. To the extent possible, Cablevision has attempted to tailor its responses to the procedures set forth by the Applicants in responding to the Commission's July 8, 2003 Initial Information and Document Request. To the extent the Applicants struck, limited or narrowed their responses through their procedures, Cablevision has done the same.

As the Commission understood when it issued the Second Protective Order<sup>1/</sup> in this proceeding, much of the information it has requested from Cablevision is highly confidential. Under the terms of the Second Protective Order, Cablevision is a Submitting Party and the information it is submitting herewith is therefore entitled to the enhanced confidential treatment prescribed in the Second Protective Order. Cablevision herewith submits a redacted version of the enclosed documents for the public record in accordance with the Second Protective Order.

News Corporation, General Motors Corporation, and Hughes Electronics Corporation Order Concerning Second Protective Order, MB Docket No. 03-124, Order, DA 03-2376 (rel. July 22, 2003).

Any questions regarding this submission should be addressed to the undersigned.

Sincerely,

Howard J. Symons

Howway

cc: W. Kenneth Ferree

Barbara Esbin

Marcia Glauberman

James Bird

JoAnn Lucanik

Doug Webbink

Linda Senecal

Neil Dellar

Simon Willkie

Tracy Waldon

# CABLEVISION SYSTEMS CORPORATION'S RESPONSE TO DISCOVERY REQUESTS

Set forth below are the responses of Cablevision Systems Corporation ("Cablevision") to the Commission's Discovery Requests, dated July 15, 2003 (the "Request"). Responses are generally provided using the data and level of detail that Cablevision maintains in the ordinary course of its business.

#### **REQUEST 1**

For each relevant video programming network state, separately for each year from 2000 through the present:

- a. the MVPD systems that distribute the network, and as to each identify:
  - 1) the geographic areas in which it distributes the network

See Attachment 1 for Fox Sports Net Chicago, Fox Sports Net Florida, Fox Sports Net New England, Fox Sports Net Ohio, Fox Sports Net Bay Area.

See Attachment 2 for MSG Network, Fox Sports Net New York.

2) the date when the network was first carried

See Attachment 2 (initial carriage date is not available for all systems, particularly where carriage commenced pre-1995).

3) all periods of time in which the MVPD's right to carry the network lapsed

MSG Network



Fox Sports Net New York

Fox Sports Net New England<sup>2/</sup>

2/

#### All other networks

None

4) the date of expiration of the contract under which the network is currently distributed

The following numbers of subscribers are covered by affiliation agreements terminating in the years indicated (estimated based on number of current subscribers):<sup>3/</sup>

Fox Sports Net Chicago

Fox Sports Net Florida

3/

Fox Sports Net New England

Fox Sports Net Ohio

Fox Sports Net Bay Area

<b>MSG</b>	Netw	ork

#### Fox Sports Net New York

- 5) the number of subscribers to the MVPD who received the network See Attachment 2.
- 6) total revenues received from the MVPD provider in exchange for distribution of the network and total revenue categorized by subscription fees, launch fees, and other sources of revenue (with a brief description)

Cablevision is not responding to this request at this time.

7) the number of advertising minutes made available for use by the MVPD

Fox Sports Net Chicago, Fox Sports Net Florida, Fox Sports Net New England, Fox Sports Net Ohio, Fox Sports Net Bay Area:

Fox Sports Net New York

# MSG Network

MSG Network also generally provides

# b. total revenues categorized by:

# 1) subscription fees

Fox Sports Net Bay Area

2000

2001

2002

2003 June YTD

# Fox Sports Net Chicago

2000

2001

2002

2003 June YTD

# Fox Sports Net Florida

2000

2001

2002

2003 June YTD

#### Fox Sports Net New England

2000

2001

2002

2003 June YTD

#### Fox Sports Net Ohio

2000

2001

2002

2003 June YTD

# Fox Sports Net New York/MSG Network<sup>4/</sup>

2000

2001

2002

2003 June YTD

# 2) advertising revenues

See Attachment 3 for Fox Sports Net Chicago, Fox Sports Net Florida, Fox Sports New England, Fox Sports Ohio, Fox Sports Bay Area.

Fox Sports Net New York/MSG Network<sup>5/</sup>

2000

These networks' revenues are reported together.

See id. Note that these networks' advertising revenues include such items as revenue from signage and radio advertisements.

2001

2002

2003 June YTD

# 3) other sources of revenues (with a description)

See Attachment 3 for Fox Sports Net Chicago, Fox Sports Net Florida, Fox Sports New England, Fox Sports Ohio, Fox Sports Bay Area. "Other" revenues may be composed of production revenues, time buys, syndication revenues, or other miscellaneous revenues.

# Fox Sports Net New York/MSG Network<sup>6/</sup>

2000

2001

2002

2003 June YTD

- c. for each DMA, the viewer rating and share by:
  - 1) all persons,
  - 2) persons aged 18-34,
  - 3) persons aged 35-49,
  - 4) persons aged 50 or higher.

Cablevision does not generate this information in the regular course of business, but rather purchases it from Nielsen. Cablevision believes that the information is available to the Applicants for purchase.

#### **REQUEST 2**

For each relevant video programming network state:

a. the launch date

Fox Sports Net Bay Area - 1990

Fox Sports Net Chicago - 1984

<sup>6/</sup> See n.4.

Fox Sports Net Florida - 1987

Fox Sports Net New England - 1981

Fox Sports Net Ohio - 1989

Fox Sports Net New York - 1976

MSG Network - late 70s/early 80s

# b. the cost to develop or launch the network, including a description and quantification of each major category of costs

The costs of developing the relevant video programming networks are not readily known, because Cablevision keeps no documents in the ordinary course of its business summarizing such historical costs. Given the substantial time that has elapsed since their launch and the fact that some started as different networks before evolving into their current form, ascertaining the cost to develop and launch the networks would require extensive historical research and could only be accomplished at significant expense and effort.

Generally, the greatest cost by far to develop or launch a sports-related video programming network is the cost of obtaining the programming, e.g., licensing the rights from the sports teams. Other costs would include marketing, personnel, cost of the physical plant, and infrastructure for distribution of the network to affiliates.

c. the total number of MVPD subscribers who received the network during each year from launch to present,

See Attachment 2.

- d. if the network provides sports programming, the identity of the teams, leagues, or organizations whose distribution rights are held by the network and for each state:
  - 1) the official name of the team, league, or organization and the sport played See Attachment 4.
  - 2) the term of the contract that grants the right to distribute the sports programming

See Attachment 4.

3)	the number of game events entitled to be distributed by News Corporation [sic] under the agreement
	See Attachment 4.
4)	the number of game events licensed to News Corporation [sic] in which News Corporation [sic] has an exclusive license
5)	the total number of game events that the team, league, or organization could make available to all networks
DEOLIECT 2	
REQUEST 3	
	, analyses, assessments or considerations of plans to modify, terminate or clusive programming distribution arrangements produced since January 1,
None.	
WDC 337657v1	

1	

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# Fox Sports Net Chicago Network Territory by State/Counties

- The Illinois counties of Adams, Alexander, Brown, Boone, Bureau, Carroll, Cass, Champaign, Christian, Clark, Clay, Coles, Cook, Crawford, Cumberland, DeKalb, De Witt, Douglas, DuPage, Edgar, Edwards, Effingham, Franklin, Ford, Fulton, Gallatin, Grundy, Hamilton, Hancock, Hardin, Henry, Henderson, Iroquois, Jackson, Jasper, Jo Daviess, Johnson, Kane, Kankakee, Kendall, Knox, Lake, LaSalle, Lawrence, Lee, Livingston, Logan, Macon, Marshall, Mason, Massac, McDonough, McHenry, McLean, Menard, Mercer, Moultrie, Morgan, Ogle, Peoria, Piatt, Pike, Pope, Pulaski, Putnam, Richland, Rock Island, Saline, Sangamon, Schuyler, Scott, Shelby, Stark, Stephenson, Tazewell, Union, Vermillion, Wabash, Warren, Wayne, White, Whiteside, Will, Williamson, Winnegago, Woodford
- The Indiana counties of Adams, Allen, Benton, Carroll, Cass, Dekalb, Elkhart, Fulton, Huntington, Jasper, Kosciusko, LaGrange, Lake, LaPorte, Marshall, Miami, Newton, Noble, Porter, Pulaski, Starke, St. Josephs, Steuben, Tippecanoe, Wabash, Warren, White, Whitley, and Wells
- The Wisconsin counties of Grant, Kenosha, and Rock
- The Iowa counties of Adair, Adams, Allamakee, Appanoose, Audubon, Benton, Blackhawk, Boone, Bremer, Buchannon, Buena Vista, Butler, Calhoun, Carroll, Cass, Cedar, Cerro Gordo, Cherokee, Chickasaw, Clarke, Clay, Clayton, Clinton, Crawford, Dallas, Davis, Decatur, Delaware, Des Moines, Dickinson, Dubuque, Emmet, Fayette, Floyd, Franklin, Fremont, Greene, Grundy, Guthrie, Hamilton, Hancock, Hardin, Harrison, Henry, Howard, Humboldt, Ida, Iowa, Jackson, Jasper, Johnson, Linn, Lucas, Lyon, Jefferson, Jones, Keokuk, Kossuth, Lee, Louisa, Madison, Mahaska, Marion, Marshall, Mills, Mitchell, Monona, Monroe, Montgomery, Muscatine, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Polk, Pottawattamie, Poweshiek, Ringgold, Sac, Scott, Shelby, Sioux, Story, Tama, Taylor, Union, Van Buren, Wapello, Warren, Washington, Wayne, Webster, Winnebago, Winneshiek, Woodbury, Worth, Wright.

### Fox Sports Net Florida Geographic Distribution

The geographic distribution for Fox Sports Net Florida is the entire state of Florida.

# Fox Sports New England Geographic Distribution Area of Network

<u>Massachusetts</u>	All Counties
New Hampshire	All Counties
Vermont	All Counties
Rhode Island	All Counties
<u>Maine</u>	All Counties
Connecticut	All Counties Except ; Fairfield County

# **Fox Sports Ohio** Geographic Distribution Area of Network

<u>Ohio</u>

3

**All Counties** 

West Virginia

The Counties of:

Cabell Jackson Mason Braxton

Boone Calhoun Kanawha

Clay

Lincoln Logan Mingo Nicholas **Putnam** Roane

Wayne Webster Wirt

Wyoming

**Kentucky** 

All Counties

Indiana

All Counties except the following:

Jasper La Porte Lake Newton Porter

**New York** 

The Counties of:

Allegany Cattaraugus Chautauqua

Erie Genesee Niagara Orleans Wyoming

**Pennsylvania** 

The Counties of:

Crawford

Erie

Mercer

Elk

Forest

McKean

Warren

# Fox Sports Net Bay Area Geographic Area Served

Mono Monterey

# **Northern California Counties**

#### Alameda Napa Nevada Alpine Amador Placer Butte Plumas Sacramento Calveras San Benito Contra Costa San Francisco Colusa San Joaquin Del Norte San Mateo El Dorado Santa Clara Fresno Santa Cruz Glenn Humboldt Shasta Inyo Sierra Siskiyou Kings Lake Solano Lassen Sonoma Marin Stanislaus Madera Sutter Tehema Mariposa Mendocino Trinity Tulare Merced Tuolumne Modoc

Yolo

Yuba

# **Northern Nevada Counties**

Carson City
Churchill
Douglas
Elko
Esmeralda
Eureka
Humboldt
Lander
Lyon
Mineral
Pershing
Storey
Washoe
White Pine

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OWNER	COMMUNITY	STATE	BASIC	VIEWING	TOTAL	LAUNCH_DAT
ADAMS CABLE TV	Windsor	NY				
ADELPHIA	Auburn	NY				
ADELPHIA	Glens Falls	NY				
ADELPHIA	Hammondsport	NY				
ADELPHIA	Norwich	NY				
ADELPHIA	Penn Yan	NY				
ADELPHIA	Resort - Saranac Lake	NY				
ADELPHIA	Toms River	NJ				
ADELPHIA	Utica	NY				
ADELPHIA	Wellsville	NY				
AT & T CABLE SERVICES	Ossining	NY				
AT & T CABLE SERVICES	Beacon	NY				
BERKSHIRE CABLE CORP.	Kinderhook	NY				
CABLEVISION	Bayonne	NJ.				
CABLEVISION	Bergen	Nj				
CABLEVISION	Bridgeport	CT				
CABLEVISION	Bronx/Brooklyn (NYC)	NY				
CABLEVISION	Brookhaven	NY				
CABLEVISION	Cross River	NY				
CABLEVISION	Dutchess/Dover Plains	NY				
CABLEVISION	East Hampton	NY				
CABLEVISION	Elizabeth	NJ				
CABLEVISION	Hamilton	NJ				
CABLEVISION	Hauppauge	NY				
CABLEVISION	Hudson County	NJ				
CABLEVISION	Long Island	ΝY				
CABLEVISION	Lynbrook	NY				
CABLEVISION	Monmouth - Asbury	NJ				
CABLEVISION	Monmouth - Freehold	NJ				
CABLEVISION	Monmouth - Jackson	NJ				
CABLEVISION	Monmouth - Millstone	NJ				
CABLEVISION	Monmouth - Ocean	NJ				
CABLEVISION	Monmouth - Seaside	NJ				
CABLEVISION	Monmouth - Wall	NJ				
CABLEVISION	Morristown	NJ				
CABLEVISION	Newark	NJ				
CABLEVISION	Norwalk .	CT				
CABLEVISION	Oakland	ŊJ				
CABLEVISION	Paterson	NJ				
CABLEVISION	Port Chester	NY				
CABLEVISION	Raritan -Tri-System	NJ				
CABLEVISION	Riverhead	NY				
CABLEVISION	Rockland / Ramapo	NY				

OWNER	COMMUNITY	STATE	BASIC	VIEWING	TOTAL	LAUNCH_DAT
CABLEVISION	Southern Westchester	NY				
CABLEVISION	Warwick	NY				
CABLEVISION	Yonkers	NY				
CABLEVISION	Yorktown Heights	NY				
CAI ASSOCIATES (MMDS)	Capital Choice - Ballston Spa	NY				
CAI ASSOCIATES (MMDS)	NY Choice - Bronx	NY				
CHARTER COMM.	Chatham	NY				
CHARTER COMM.	Heritage	CT				
CHARTER COMM.	Newtown	CT				
CHARTER COMM.	Plattsburgh	NY				
COMCAST CABLE	Central	NJ				
COMCAST CABLE	Danbury	CT				
COMCAST CABLE	Jersey City	NJ				
COMCAST CABLE	Meadowlands	NJ				
COMCAST CABLE	Monmouth	NJ				
COMCAST CABLE	NW - Port Murray	NJ				
COMCAST CABLE	Ocean-Pt. Pleasant	NJ				
COMCAST CABLE	Plainfield	NJ				
COMCAST CABLE	Union	NJ				
DIRECTV	DirecTV - Inner/Outer					
DIRECTV	DirecTV - Out of Market					
ECHOSTAR	Echostar - Inner/Outer					
HILLTOP COMMUNICATIONS	Germantown	NY				
MID-HUDSON CABLEVISION	Catskill	NY				
MID-HUDSON CABLEVISION	Mid Hudson	NY				
MID-TEL CABLE TV	Middleburgh	NY				
MTC CABLE	Margaretville	NY				
RCN	Carmel	NY				
RCN	New York	NY				
RCN	Princeton	NJ				
RCN	Somerset	NJ				
SERVICE ELECTRIC CABLE TV	Sparta	ŊJ				
SNET AMERICAST (OPEN VIDEO)	Bridgeport	CT				
TIME WARNER CABLE	Albany / Troy / Battenkill	NY				
TIME WARNER CABLE	Bergen	NJ				
TIME WARNER CABLE	Binghamton	NY				
TIME WARNER CABLE	Brookfield	NY				
TIME WARNER CABLE	Brooklyn/Queens (BQ)	NY				
TIME WARNER CABLE	Carthage	NY				
TIME WARNER CABLE	Central Square / Boonville	NY				
TIME WARNER CABLE	Champlain	NY				
TIME WARNER CABLE	City of Syracuse	NY				
TIME WARNER CABLE	Corning/Watkins Glen	NY	- 4			

OWNER	COMMUNITY	STATE	BASIC	VIEWING	TOTAL	LAUNCH_DAT
TIME WARNER CABLE	Cortland	NY				
TIME WARNER CABLE	Elmira	NY				
TIME WARNER CABLE	Finger Lakes	NY				
TIME WARNER CABLE	Glens Falls	NY				
TIME WARNER CABLE	Gloversville/Johnstown	NY				
TIME WARNER CABLE	Honeoye	NY				
TIME WARNER CABLE	llion	NY				
TIME WARNER CABLE	Ithaca	NY				
TIME WARNER CABLE	Kingston/Poughkeepsie	NY				
TIME WARNER CABLE	Massena	NY				
TIME WARNER CABLE	Montrose	PA				
TIME WARNER CABLE	Mount Vernon	NY				
TIME WARNER CABLE	Mt. Upton	NY				
TIME WARNER CABLE	Newburgh	NY				
TIME WARNER CABLE	Northern Manhattan	NY				
TIME WARNER CABLE	Oneida	NY				
TIME WARNER CABLE	Oneonta	NY				
TIME WARNER CABLE	Orange/Ellenville / Sulfivan	NY				
TIME WARNER CABLE	Oswego	NY				
TIME WARNER CABLE	Queens (ACQ)	NY				
TIME WARNER CABLE	Queens (QUICS)	NY				
TIME WARNER CABLE	Rensselaer/Schoharie	NY				
TIME WARNER CABLE	Rochester	NY				
TIME WARNER CABLE	Rome	NY				
TIME WARNER CABLE	Saratoga	NY				
TIME WARNER CABLE	Saugerties	NY				
TIME WARNER CABLE	Schenectady/Amsterdam	NY				
TIME WARNER CABLE	Seneca/Baldwinsville	NY				
TIME WARNER CABLE	Southern Manhattan	NY				
TIME WARNER CABLE	Stamford	NY				
TIME WARNER CABLE	Staten Island	NY				
TIME WARNER CABLE	Syracuse/Fulton	NY				
TIME WARNER CABLE	Walton	NY				
TIME WARNER CABLE	Watertown	NY				
US CABLE	Paramus/Hillsdate	NJ				
SMATV'S						
A R C TELECCULITY	Latabasas	F.7.1				
A & S TELESECURITY	Lakehurst	NJ				
A & S TELESECURITY	Lakehurst	NJ				
CANNON HEIGHTS	Bronx	NY				

OWNER	COMMUNITY	STATE	BASIC	VIEWING	TOTAL	LAUNCH_DAT
DBL ENTERPRISES, INC.	Imperial House Condos	NJ				
GLOBAL INTERACTIVE COMM.	Avalon Cove - Jersey City	NJ				
GLOBAL INTERACTIVE COMM.	Durham Woods - Edison	NJ				
GLOBAL INTERACTIVE COMM.	Rachel - Pinebrook	NJ				
GLOBAL INTERACTIVE COMM.	Talmadge Village - Edison	LИ				
GLOBAL INTERACTIVE COMM.	Village Commons - Edison	NJ				
GLOBAL INTERACTIVE COMM.	Village Court - Edison	NJ				
GRANDVIEW	Tinton Falls - Neptune	NJ				
INTERTECH PRIVATE CABLE	Green Leaf Meadows - Rochester	NY				
INTERTECH PRIVATE CABLE	Norstar Apts., - Liverpool	NY				
LITTNER/REDDING	Lefrack City - Queens	NY				
LITTNER/REDDING	Rochdale Village - Queens	NY				
MICROWAVE SATELLITE TECH.	180 Riverside - NY	NY				
MICROWAVE SATELLITE TECH.	Argyle Hall - NY	NY				
MICROWAVE SATELLITE TECH.	Beachaven Apts - Brooklyn	NY				
MICROWAVE SATELLITE TECH.	Chelsea Apts., Brooklyn	NY				
MICROWAVE SATELLITE TECH.	Contello Towers - Brooklyn	NY				
MICROWAVE SATELLITE TECH.	Falcon Apts., Brooklyn	NY				
MICROWAVE SATELLITE TECH.	Fiesta Apts., Brooklyn	NY				
MICROWAVE SATELLITE TECH.	Fontainbleau - Brooklyn	NY				
MICROWAVE SATELLITE TECH.	Lawrence Gardens, Brooklyn	NY				
MICROWAVE SATELLITE TECH.	Lawrence Towers, Brooklyn	NY				
MICROWAVE SATELLITE TECH.	Luna Park - Brooklyn	NY				
MICROWAVE SATELLITE TECH.	Nautilus Apts., Brooklyn	NY				
MICROWAVE SATELLITE TECH.	Patio Gardens, Brooklyn	NY				
MICROWAVE SATELLITE TECH.	Shorehaven Apts - Brooklyn	NY				
MICROWAVE SATELLITE TECH.	Southampton Apts - Brooklyn	NY				
MICROWAVE SATELLITE TECH.	Trump Int'l Hotel & Tower - NY	NY				
MICROWAVE SATELLITE TECH.	Warbasse Village - Brooklyn	NY				
MICROWAVE SATELLITE TECH.	Westminster Hall - Brooklyn	NY				
MICROWAVE SATELLITE TECH.	Worldwide Holdings - NY	NY				
NORTH-EASTERN PA TELEPHONE CO.	Forest City	PA				
SATELLITE TV OF NY	Coop City - Bronx	NY				
SEABROOK VILLAGE	Seabrook Village - Tinton Falls	NJ				
SKYWAY PARTNERS	Executive House - E. Orange	NJ				
STARVIEW COMMUNICATIONS	Aspetuk Village - Shelton	CT				
TELESTAR	Contello Towers # 2 / Trump - Brooklyn	NY				
UNIVERSAL SATELLITE	EW Jimmerson	NY				
UNIVERSAL SATELLITE	Harway	NY				
UNIVERSAL SATELLITE	Trump Village	NY				
UNIVERSAL SATELLITE	Waterview Tower	NY				

SCHEDULE A FCC REQUEST

Fox Sports Net New York Year End 2000

OWNER

COMMUNITY

STATE

BASIC

Sic

VIEWING

TOTAL

LAUNCH\_DAT